

AMENDMENT UNDER 37 C.F.R. § 1.111
U. S. Application No. 09/854,667

REMARKS

Claims 1-26 are all the claims pending in the application, including new claims 21-26 added by the present Amendment.

Claim 19 is objected to, because of an informality, which is corrected herein, as suggested by the Examiner. Claim 19 is further amended to correct another informality not identified by the Examiner.

Claims 1-8, 10-12, 15, 16, 19 and 20 are rejected under 35 U.S.C. § 102(b) as being anticipated by Brunner (US 4,852,485).

Claims 9, 13, 14, 17 and 18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including the all of the limitations of the base claim and any intervening claims.

Brunner relates to a method and a control device for achieving uniform printing results on a color offset printing machine, in which the feeding of printing inks to adjacent color zones of a printing substrate is adjustable by means of regulators. The regulation of the printing process, solid densities and/or screen dot sizes are determined repeatedly on measuring patches simultaneously printed within the color zones, and, when they fall outside of tolerances associated with them, intervention is made correctively in the printing process.

Claim 1 recites supplying ink at a substantially constant rate to the printing plate. Applicant submits that Brunner fails to teach or suggest this feature of the claim. The Examiner points to col. 8, lines 58-67 of Brunner as allegedly disclosing this feature. Applicant respectfully disagrees. The cited excerpt discloses that "the inking unit 2 serves the purpose of supplying the printing form 4 constantly with the necessary amount of ink." Col. 8, lines 58-60.

AMENDMENT UNDER 37 C.F.R. § 1.111
U. S. Application No. 09/854,667

However, Applicant submits that constantly supplying ink in Brunner does not correspond to supplying ink at a substantially constant rate, as recited in claim 1. Rather, in Brunner, the ink could be supplied at a variable rate. Therefore, claim 1 is not anticipated by Brunner.

Also, Applicant submits that Brunner does not teach or suggest the feature of claim 1 of generating surface area modulation data based on at least one of dot surface areas from the digital image information. Here, the Examiner cites col. 11, lines 3-20 of Brunner. Applicant submits that the cited excerpt of the reference does not make the alleged disclosure. Generating surface area modulation data is not described in the cited excerpt. Instead, the excerpt describes printing individual color measuring patches. Moreover, although the color measuring patches include screen dots, the color measuring patches are not described as being printed based on a dot surface area. Thus, claim 1 is not anticipated by Brunner for this additional reason.

Applicant submits that claims 2-7 are not anticipated by Brunner, at least because of their dependence from claim 1.

With further regard to claim 3, Brunner fails to teach or suggest adjusting a supply rate of ink within a range of one image. The Examiner contends that col. 8, lines 58-67 of Brunner disclose this feature of claim 3. The cited excerpt discloses that the emerging amount of ink can be individually adjusted zone-wise over the entire printing width. However, the excerpt does not disclose adjusting the ink supply rate within a range of one image. The cited excerpt does not suggest any particular relationship having a range of one image. Hence, claim 3 is allowable for this reason also.

Applicant submits that claims 8-20 are not anticipated by Brunner, for reasons analogous to those for claim 1.

AMENDMENT UNDER 37 C.F.R. § 1.111
U. S. Application No. 09/854,667

For claim 11, Applicant submits that Brunner does not disclose or suggest the limitations of the claim. In particular, claim 11 recites wherein the constant amount ink supplying device includes rollers and an ink key, and the ink key consists essentially of a single structure along an axial direction of the roller, and having an opening for allowing ink to flow out at a substantially constant rate. With regard to these limitations of the claim, the Examiner refers to FIGS. 1 and 2 and col. 13, lines 27-68. Nevertheless, the cited excerpt is silent with respect to the ink key consists essentially of a single structure along an axial direction of the roller. The claimed structure of claim 11 is not present in the cited figures or excerpt of Brunner. Therefore, claim 11 is allowable for this additional reason.

Applicant submits that claim 15 is allowable over the prior art, for reasons analogous to those for claim 11.

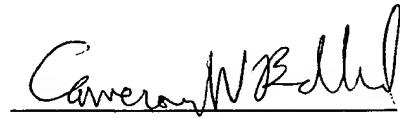
Claims 21-26 are added to describe features of the invention more particularly. These new claims are allowable at least because of their dependence from claims 1, 8, and 19, respectively.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.111
U. S. Application No. 09/854,667

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Cameron W. Beddard
Cameron W. Beddard
Registration No. 46,545

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE
23373
CUSTOMER NUMBER

Date: February 2, 2005